



August 1, 2014

Miriam Barcellona Ingenito
Acting Director
Department of Toxic Substances Control
1001 I Street
Sacramento, CA 95812-0806

RE: Summary of Violations – Taco, Inc.

Dear Ms. Ingenito:

The purpose of this letter is to respond to the Department of Toxic Substance Control (DTSC) letter to Taco, Inc. (Taco) dated July 3, 2014. In response to your letter, we wish to advise you of the following:

1. We believe that the DTSC's proposed collection rates were unrealistically set. The Thermostat Recycling Corporation (TRC) fully addressed this matter through legal counsel (Paul, Hastings, Janofsky & Walker LLP) in the June 24, 2011 letter to the DTSC.
2. We dispute the claim that Taco has violated subdivision (a) of section 66274.5 of California Code of Regulations (CCR) Title 22, for failing to meet the established collection rate performance requirement for calendar year 2013, as Taco has no information from DTSC with which to determine that the claim is valid.
3. Taco's records indicate there are no recorded shipments to the State of California of mercury containing thermostats which Taco previously sold.

Based on the information above, Taco objects to any findings that we have failed to meet a collection rate performance requirement of the DTSC.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kyle A. Adamonis". The signature is fluid and cursive.

Kyle A. Adamonis
Sr. Vice President
Human Resources & Legal

cc: Michael L. Martell, Esq.
Morrison Cohen LLP